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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA**

UNITED STATES OF AMERICA for the use of  
NORTH STAR TERMINAL & STEVEDORE  
COMPANY, d/b/a Northern Stevedoring &  
Handling, and NORTH STAR TERMINAL &  
STEVEDORE COMPANY, d/b/a Northern  
Stevedoring & Handling, on its own behalf,

Plaintiffs,

and

UNITED STATES OF AMERICA for the use of  
SHORESIDE PETROLEUM, INC., d/b/a Marathon  
Fuel Services, and SHORESIDE PETROLEUM,  
INC., d/b/a Marathon Fuel Services, on its own  
behalf,

Intervening Plaintiffs,

and

METCO, INC.,

Intervening Plaintiff,

vs.

NUGGET CONSTRUCTION, INC.; SPENCER  
ROCK PRODUCTS, INC.; UNITED STATES  
FIDELITY AND GUARANTY COMPANY; and  
ROBERT A. LAPORE,

Defendants.

Case No. 3:98-cv-009-HRH

**(Proposed) ORDER GRANTING  
MOTION FOR SUMMARY  
JUDGMENT**

The Court, having considered Plaintiff and Use Plaintiff North Star Terminal and Stevedore Company's ("North Star's") Motion and Memorandum for Summary Judgment Or For Determination of Law of the Case Against Nugget and USF&G on the Basis of Contract by Agency, any opposition thereto, and being advised on the premises thereof,

HEREBY ORDERS: That the Motion for Summary Judgment is Granted in North Star's favor and against defendants Nugget Construction, Inc. and United States Fidelity and Guaranty Company on that basis.

DONE AND ENTERED this \_\_\_\_ day of \_\_\_\_\_, 2006.

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H. Russel Holland  
United States District Judge